

NEW YORK CITY
CITY OF NEW YORK
DEPARTMENT OF EDUCATION
THE SPECIAL COMMISSIONER OF INVESTIGATION
FOR THE NEW YORK CITY SCHOOL DISTRICT
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ADMINISTRATIVE TRIALS UNITS

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October 10, 2006

Hon. Joel I. Klein
Chancellor
New York City Public Schools
Department of Education
52 Chambers Street, Room 314
New York, NY 10007

Re: Gregory Atkins
SCI Case # 2006-1742

Dear Chancellor Klein:

An investigation conducted by this office has substantiated that fifty-year-old Gregory Atkins, a Paraprofessional assigned to MS 322 in Manhattan, engaged in an inappropriate relationship with a -year-old male student ("Student A").¹

This investigation began on May 11, 2006, when Principal Erica Zigelman contacted the Office of the Special Commissioner of Investigation for the New York City School District ("SCI") and reported the allegations of misconduct by Atkins.² Zigelman told investigators that Student A's mother wrote a letter addressed to Zigelman which detailed various instances of improper conduct committed by Atkins. Specifically, Student A's mother disclosed that throughout the semester Atkins attended Student A's games, gave him wrist bands as gifts, took Student A out to lunch, and extended Student A an "open invitation" to stay over at his house.

SCI investigators spoke with Zigelman in January 2006. She told investigators that on May 8, 2006, Student A's mother arrived at MS 322 and filed a complaint against Atkins.³ According to Zigelman, Student A's mother was concerned that Atkins was spending too much time with her son. Zigelman disclosed to investigators that Student A's mother claimed that Atkins had bought presents for Student A, attended Student A's

¹ Student A has turned -years-old.

² Pending the outcome of this investigation, on May 22, 2006, Atkins was suspended without pay.

³ Zigelman notified the Office of Special Investigations ("OSI") on May 8, 2006 and she was instructed to refer the case to SCI which she did on May 11, 2006.

games, took Student A out to eat after the games, and walked Student A home one day. Student A's mother expressed to Zigelman that she was upset about the situation

Zigelman informed investigators that Atkins was assigned as a health paraprofessional who was not responsible for caring for Student A and, as a result, he should not have taken such an interest in Student A. Zigelman reported to investigators that Atkins was responsible for taking care of a year-old male student ("Student B")

Zigelman further explained to investigators that she advised Student A's mother to write a statement documenting Atkins contact with Student A. According to Zigelman, on May 11, 2006, Student A arrived at school and presented a letter from his mother. Zigelman reported that she

for Student A and discovered that Atkins was present at the meeting and signed as Student A's Zigelman disclosed to investigators that Atkins should not have attended the meeting because he was a health paraprofessional and was not a mentor for any student at the school.

Investigators interviewed Student A who provided details about Atkins's conduct. Student A disclosed that he met Atkins when he was in the grade and after class Atkins would often help Student A with his school work. Student A told investigators that Atkins was not his regular teacher at the time but stated that Atkins was nice and tried to help Student A. Student A acknowledged that Atkins was assigned to assist Student B who Student A revealed to investigators that when he was in the grade he was not in Student B's class so Atkins did not help him with his class assignments after school. Student A further stated that he currently was in the grade and during the school year Atkins had been helping him with his classroom work and had been volunteering as a coach for Student A's team. Student A explained that Atkins went to his games, assisted at practices, and helped with the scorebook. Student A added that Atkins had bought him wrist bands.

Student A recounted for investigators other incidents in which he interacted with Atkins. According to Student A, in March 2006 Atkins took Student A to McDonald's after a game. Student A recalled that in April 2006 Atkins had walked him home after a game and went into his house and introduced himself to Student A's mother and father. Student A further stated that Atkins gave his mother his cellular phone number and Student A used Atkins' cell phone several times in April 2006 to tell his mother that he would be arriving home late from his game.

Student A maintained that Atkins never committed any inappropriate behavior toward or engaged in any touching of Student A.

In an interview with investigators, Student A's mother disclosed that she was very concerned about her son's relationship with Atkins and did not want the boy "to become a victim." Student A's mother revealed that she contacted Student A's coach and the and complained about Atkins. Student A's mother further stated that it was her understanding that Atkins had applied for an assistant coach position but as a result of the concerns she expressed, put a hold on his application.

In a subsequent interview, investigators learned from Student A's mother that she first became aware of the situation between her son and Atkins in March of 2006. Student A's mother recalled that Student A "talked a lot about Atkins" and she would often see him at Student A's practices and games. Student A's mother told investigators that Atkins provided Student A with extra help after school

Student A's mother explained that she initially felt that Atkins relationship with Student A was "okay" but then Atkins would call after every game and tell Student A's mother that he was walking Student A home and they would always be late.⁴ According to Student A's mother, Atkins bought Student A equipment, wrist bands, a jock strap, and a cup.

Student A's mother recounted for investigators an incident that occurred in March 2006 after one of Student A's games. Student A's mother explained that after Atkins walked Student A home, he entered her home and sat on the couch to watch television. Student A's mother further stated that Atkins offered to baby-sit for Student A "whenever necessary" and stated that he had an extra bedroom, a Play Station, and a computer for Student A to use. Student A's mother reported that she became very concerned and asked Atkins to leave her home. Student A's mother told investigators that Atkins was constantly "lurking" around at Student A's games and never said hello to her or Student A's father. Student A's mother also complained that Atkins had taken Student A to lunch and dinner after the games without her permission.

Additionally, Student A's mother told investigators about a teacher parent conference she had with Student A, his guidance counselor his teacher and Atkins. According to Student A's mother, during the meeting Atkins handed her a piece of paper which stated that teacher was lying about Student A. Student A's mother explained that she thought Atkins was a teacher and she did not know that he was a health paraprofessional assigned to another student. Moreover, Student A's mother stated that at the time she also did not know that Atkins should not have been at the meeting.

⁴ Student A's mother told investigators that in February 2006 she had given Atkins her cellular phone number.

In an interview with investigators, Student B stated that Atkins had been assigned to him for the past four years and at no time had Atkins done anything or said anything inappropriate or made him feel uncomfortable.

Student B added that Atkins was a good person and that he had no problems with him during the four years that he had been assigned to assist him.⁵

Investigators spoke with a _____ year-old male student ("Student C") who related that Atkins became Student B's full time paraprofessional when Student B was in the _____ grade. Student C maintained that he had never seen Atkins act inappropriately toward Student B or Student A. Student C further stated that Atkins helped out with Student A's _____ team and that Student A had never mentioned that Atkins behaved improperly toward Student A.

Investigators met with Student A's _____ coach _____ on May 26, 2006. _____ told investigators that during _____ which was the beginning of _____ season, he often saw Atkins at _____ practices with Student A. _____ informed investigators that he never saw anything inappropriate between Atkins and Student A. In fact, _____ reported to investigators that during the time when Atkins was involved with the _____ team, he never saw him act inappropriately toward any child. _____ further told investigators that Atkins had introduced himself as a "kind of mentor" to Student A and also told _____ that he was a mentor for another student.

_____ explained to investigators that he encouraged all parents to volunteer at students' practices and games and added that he never saw Student A's parents until "this complaint was filed." According to _____ approximately one month prior, Atkins showed up for _____ practice with Student A and Student B. _____ continued that two Saturdays prior, Student A's mother attended Student A's _____ practice and complained about Atkins. Based upon his conversation with Student A's mother, _____ went to the _____ and expressed her concerns regarding Atkins. _____ reported that Atkins attempted to fill out a coach's registration form but the form was placed on hold by _____. _____ told investigators that he informed Atkins about the allegations and explained that he could not help coach the team until the investigation was concluded.⁶

⁵ Investigators spoke with Student B's _____ who confirmed that Atkins had been assigned to help Student B for the past four years and that there had been no problem with his services. Student B's _____ stated that Atkins always called to confirm any scheduling changes for Student B. Student B's _____ added that Atkins had never said or done anything inappropriate toward Student B or herself.

⁶ Brito told investigators that Atkins had not been around the _____ team since he was instructed to stay away.

According to Atkins stated that the allegation "was bogus"

In an interview with investigators, Gregory Atkins stated that he had been a "one to one" paraprofessional to Student B for the past four years. Atkins explained that Student B was so he needed help with his homework and personal needs. Atkins further stated that he assisted students with their homework during school hours in the hallway of the school because there was no other space available. Atkins informed investigators that with the permission of Student B's he had the home phone number for Student B which was necessary in the event that Student B had a medical emergency at school.

Atkins disclosed to investigators that his relationship with Student A began in the hallway of the school while he was helping other students with their class assignments. Atkins explained that Student A and Student B were friends so while he was helping Student B with his homework he would help Student A as well. According to Atkins, Student A spoke about his home life Atkins continued that Student A complained about Atkins told investigators that he felt sorry for Student A and tried to help him with his problems. Atkins further stated that he met Student A's mother at a meeting at school which was attended by Student A's guidance counselor and his homeroom teacher. Atkins explained that he introduced himself to Student A's mother and informed her that he was helping Student A with his homework. Atkins further stated that he exchanged cell phone numbers with Student A's mother in case she needed help with Student A. Atkins acknowledged that he did sign the conference information sheet on March 23, 2006 as a mentor to Student A and admitted that it was an error since he was not specifically assigned to Student A. Atkins stated, however, that since no one told him to leave the conference he thought it was "okay to stay."

Atkins stated that Student A invited him to his practices which began in February 2006. Atkins revealed to investigators that several years prior he was a coach and he thought it "would be fun to get back into the sport." Atkins admitted to investigators that he purchased sports items for Student A such as an athletic supporter and wrist bands.⁸ Atkins related to investigators that, after a practice in February, he permitted Student A to use his cellular phone to contact his mother to inform her that Atkins would walk Student A home after practice. According to Atkins, after he walked Student A home he went into Student A's home to meet his parents.

⁸ Atkins also told investigators that he bought rosary beads for Student A.

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Atkins further reported to investigators that during one of Student A's games Student A's mother complained to the coach that she had an order of protection against Atkins and that she did not want him around her son.

Student A told investigators that he wanted to become an assistant coach for Student A's team but was informed that he could not apply for the position until the investigation was concluded.

Atkins informed investigators that he had not seen Student A since he was suspended without pay on May 22, 2006. Atkins told investigators that he never had any sexual or inappropriate contact with Student A or Student B. Atkins insisted that he was just trying to help Student A and maintained that he would never hurt any child in any way. Atkins stated that he never called Student A's home and that there was only one occasion when Student A borrowed his phone after practice to call his mother. Atkins added that

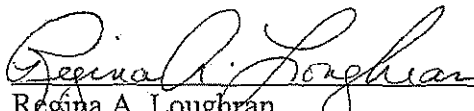
It is the recommendation of this office that appropriate disciplinary action be taken against Gregory Atkins.

We are forwarding a copy of this letter to the Office of Legal Services. Should you have any inquiries regarding the above, please contact Special Counsel Valerie A. Batista, the attorney assigned to the case. She can be reached at (212) 510-1417. Please notify Ms. Batista within thirty days of the receipt of this letter as to what, if any, action has been taken or is contemplated regarding Gregory Atkins. Thank you for your attention to this matter.

Sincerely,

RICHARD J. CONDON
Special Commissioner
of Investigation for the
New York City School District

By:


Regina A. Loughran
First Deputy Commissioner

RJC:RAL:VAB:gm

c: Michael Best, Esq.
Theresa Europe, Esq.
